

**OCTOBER 6, 2008  
REGULAR COUNCIL MEETING  
PARMA CITY COUNCIL CHAMBERS  
7:00 PM**

The Regular Council Meeting was called to order by President of Council Charles M. Germana, presiding.

COUNCIL MEMBERS PRESENT:      TOM REGAS  
   SCOTT TUMA  
   NICHOLAS CELEBREZZE  
   SEAN BRENNAN  
   BRIAN DAY  
   MARY GALINAS  
   ROY J. JECH  
   KENNETH A. RAMSER  
   LARRY NAPOLI

Mr. Mastroianni - Mr. Chairman, the Roll of Council has been called, and I find a quorum of Council Members present.

The following officials and department heads were also present: Mayor Dean DePiero, Law Director Tim Dobeck, Treasurer Anthony Zielinski, Service Director Brian Higgins, Safety Director Gregory Baeppler, Assistant Building Commissioner Don Graves, Communications and Community Relations Director Jack Marschall, Recreation Director Mickey Vittardi, Director of Human Resources Elayne Siegfried, Community Development Director Erik Tollerup, Mayor's Chief of Staff Meghann McCall, Senior Citizen Director Jo Ann Mason, Economic Development Officer Shelley Cullins, Deputy Clerk I Linda Young, and Clerk of Council Tom Mastroianni.

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**LEGISLATIVE COMMENT**

Council President Charles Germana asked if there were any questions or comments regarding the pieces of legislation Council would be taking final action on tonight. No one wished to comment.

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**INVOCATION**

The Invocation was given by Clerk of Council Tom Mastroianni.

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**PLEDGE ALLEGIANCE TO THE AMERICAN FLAG**

Led by a representative of the J. J. Jacubic Post 572.

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**RESOLUTIONS/PROCLAMATIONS**

**RESOLUTION NO. 291-08**

L-291-08

By: L. Napoli, Sean Brennan and the rest of Council

A RESOLUTION HONORING IRENE DOLNACKO TOTH CITY OF PARMA CITIZEN  
OF THE MONTH – AUGUST, 2008

Resolution was presented to Ms. Toth.

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**RESOLUTION NO. 292-08**

L-292-08

By: T. Regas and the rest of Council

A RESOLUTION HONORING BERNIE WILLOUGHBY 2008 COACH OF THE  
YEAR YOUTH SOCCER

Resolution was presented to Mr. Willoughby.

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**RESOLUTION NO. 302-08**

L-302-08

By: S. Brennan and the rest of Council

A RESOLUTION OF CONGRATULATIONS TO VANCE NOAH FOR RECEIVING  
THE PURPLE HEART AWARD

Resolution was presented to Mr. Noah.

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**DISPOSAL OF THE JOURNAL**

Mr. Germana – Stated that we have the Minutes of the Regular Council Meeting of September 8, 2008. Are there any additions or corrections to these Minutes? Hearing none, the Minutes shall stand approved as printed.

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**AMENDMENT TO THE CALENDAR**

Motion made by Councilman Jech, seconded by Councilman Day to amend the calendar by adding Resolution No. 304-08 to Suspension of the Rules. Motion carried.

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**COMMUNICATIONS, PETITIONS AND CLAIMS**

Mr. Celebrezze - Parma City Council Planning Committee met on September 29, 2008, to discuss the variances for the applicant Rick J. Schmitt, Diamond Z Engineering Inc. for property located at 5810 State Rd (Speedway). The PPN is 447-03-032.

1. This is an area variance of Section 1199.07 (c) – Screening and Buffering – Buffer Areas for Yards Abutting Public Streets and Parking Lots. The proposal is to install new cooler expansion at the existing station. A 12 foot buffer is required. The variance would result in a 6 foot less buffer adjacent to residential district that Code requires.
2. This is an area variance of Section 1170.08 – Commercial/Office Districts – Schedule of Yard and Height Regulations. The proposal is to install a new cooler expansion at existing station. A 20 foot rear building setback is required. The variance would result in 10 foot less rear building setback than Code requires.

Motion made by Councilman Celebrezze, seconded by Councilman Day to approve these variances. Motion carried.

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Communications received from State Senator Dale Miller and Ohio State Representative Tim DeGeeter supporting HB 545 which was approved by City Council in Resolution No. 263-08.

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**FIRST READING:**

**RESOLUTION NO. 290-08**

10/6/08

L-290-08

By: B. Day, R.J. Jech, N. Celebrezze

(By Request – Community Services & Economic Director)

A RESOLUTION DECLARING STATE ROAD BETWEEN TUXEDO AVENUE AND  
GRANTWOOD DRIVE IN THE CITY OF PARMA AS "UKRAINIAN VILLAGE"

Mr. Germana – Said Resolution shall be referred to the Governmental Operations  
Committee.

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**ORDINANCE NO. 299-08**

10/6/08

L-299-08

By: M. Galinas  
(By Request – Mayor)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE  
AGREEMENT BY AND BETWEEN SANDRA MILLER AND THE CITY OF PARMA  
FOR THE ACQUISITION OF REAL PROPERTY KNOWN AS PERMANENT  
PARCEL NUMBER 442-15-146, LOCATED ON MANHATTAN AVENUE IN THE  
CITY OF PARMA AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance shall be referred to the Finance Committee.

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**ORDINANCE NO. 300-08**

10/6/08

L-300-08

By: M. Galinas  
(By Request – Mayor)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE  
AGREEMENT BY AND BETWEEN SCOTT KULIK AND THE CITY OF PARMA  
FOR THE ACQUISITION OF REAL PROPERTY KNOWN AS PERMANENT  
PARCEL NUMBER 442-15-145, LOCATED ON MANHATTAN AVENUE IN THE  
CITY OF PARMA AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance shall be referred to the Finance Committee.

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**ORDINANCE NO. 301-08**

10/6/08

L-301-08

By: M. Galinas  
(By Request – Mayor)

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE  
AGREEMENT BY AND BETWEEN SHARON KULIK AND THE CITY OF PARMA  
FOR THE ACQUISITION OF REAL PROPERTY KNOWN AS PERMANENT  
PARCEL NUMBER 442-15-144, LOCATED ON MANHATTAN AVENUE IN THE  
CITY OF PARMA AND DECLARING AN EMERGENCY

Mr. Germana – Said Ordinance shall be referred to the Finance Committee.

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**SECOND READING SUSPENSION OF THE RULES:**

**ORDINANCE NO. 273-08**

9/22/08

L-273-08

By: M. Galinas  
(By Request – Safety Director)

AN ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC  
SAFETY TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER  
FOR PAVEMENT MARKINGS, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to amend Ordinance No 273-08 by inserting in the first blank of Section 1 "Mar-King" and in the second blank, the amount of "\$137,274.29". Further moved to place amended Ordinance No. 273-08 on Second Reading Suspension for passage. Motion carried.

Mr. Germana - Shall the statutory provision and Rule 47 requiring the full and distinct reading of amended Ordinance No. 273-08 on three different days be dispensed with?  
Yes: Regas, Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser.  
No: None; Motion carried.

Motion made by Councilman Jech, seconded by Councilman Day to adopt amended Ordinance No. 273-08.  
Yes: Regas, Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser.  
No: None; Motion carried. Amended Ordinance No. 273-08 is adopted.

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**THIRD READING:**

**ORDINANCE NO. 238-08** 9/8/08 L-238-08  
By: M. Galinas, T. Regas, S. Tuma, S. Brennan, N. Celebrezze, B. Day, R.J. Jech, L. Napoli, K. Ramser  
(By Request – City Engineer/Building Commissioner)

AN ORDINANCE TO AMEND PORTIONS OF TITLE 15 "BUILDING CODE" AND  
TITLE 17 "PROPERTY MAINTENANCE CODE" OF THE CODIFIED ORDINANCES  
OF THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Assistant Building Commissioner Don Graves discussed the relevance of the clarifications and penalties in this piece of legislation.

Motion made by Councilman Jech, seconded by Councilman Day to adopt Ordinance No. 238-08  
Yes: Regas, Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser.  
No: None; Motion carried. Ordinance No. 238-08 is adopted.

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**ORDINANCE NO. 262-08** 9/8/08 L-262-08  
By: M. Galinas, T. Regas, S. Tuma, S. Brennan, N. Celebrezze, B. Day, R.J. Jech, L. Napoli, K. Ramser  
(By Request – Law Director)

AN ORDINANCE TO AMEND CHAPTER 749 "MASSAGE PARLORS" OF THE  
CODIFIED ORDINANCES OF THE CITY OF PARMA AND DECLARING AN  
EMERGENCY

Motion made by Councilwoman Galinas, seconded by Councilman Day to amend Ordinance No. 262-08 by replacing page 9 of Exhibit "A" with a revised page 9. Motion carried.  
Motion made by Councilman Jech, seconded by Councilman Day to adopt Ordinance No. 262-08  
Yes: Regas, Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser.  
No: None; Motion carried. Ordinance No. 262-08 is adopted.

**SUSPENSION OF THE RULES:**

Mr. Germana - Shall the statutory provision and Rule 47 requiring the full and distinct reading of Resolution No. 288-08, Ordinance No. 293-08, Ordinance No. 294-08, Ordinance No. 295-08, Resolution No. 296-08, Resolution No. 297-08, Resolution No. 298-08, Resolution No. 303-08, and Resolution No. 304-08 on three different days be dispensed with?

Yes: Regas, Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser.

No: None; Motion carried.

Mr. Germana - Shall Rule 44 requiring reference to committee be dispensed with and Resolution No. 288-08, Ordinance No. 293-08, Ordinance No. 294-08, Ordinance No. 295-08, Resolution No. 296-08, Resolution No. 297-08, Resolution No. 298-08, Resolution No. 303-08, and Resolution No. 304-08 be placed on final passage?

Yes: Regas, Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser.

No: None; Motion carried.

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**RESOLUTION NO. 288-08**

10/6/08

L-288-08

By: K. Ramser, M. Galinas, T. Regas, S. Tuma, S. Brennan, N. Celebrezze, B. Day, R.J. Jech, L. Napoli

A RESOLUTION REQUESTING THE BUILDING COMMISSIONER TO  
INSTITUTE SUMMARY NUISANCE ABATEMENT OF PERMANENT PARCEL  
NUMBER 456-11-118, 10190 TERRACE COURT, PARMA, OHIO, AND  
DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution No. 288-08.

Yes: Regas, Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser.

No: None; Motion carried. Resolution No. 288-08 is adopted.

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**ORDINANCE NO. 293-08**

10/6/08

L-293-08

By: S.M. Tuma

(By Request – Service Director)

AN ORDINANCE TO AMEND A PORTION OF SECTION 1 OF ORDINANCE NO.  
285-08 RELATIVE TO THE AMOUNT FOR A CONTRACT WITH ZORESKO  
EQUIPMENT COMPANY FOR THE LEASE/PURCHASE OF ONE (1) KNAPHEIDE  
SERVICE BODY AND LABOR COSTS FOR INSTALLATION AND DECLARING  
AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Ordinance No. 293-08.

Yes: Regas, Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser.

No: None; Motion carried. Ordinance No. 293-08 is adopted.

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**ORDINANCE NO. 294-08**

10/6/08

L-294-08

By: S.M. Tuma

(By Request – Service Director)

AN ORDINANCE TO AMEND A PORTION OF SECTION 1 OF ORDINANCE NO.  
286-08 RELATIVE TO THE AMOUNT FOR A CONTRACT WITH THE LODI AUTO

MALL FOR THE LEASE/PURCHASE OF ONE (1) 2008 CHEVROLET SILVERADO  
CHASSIS AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Ordinance  
No. 294-08.

Yes: Regas, Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser.

No: None; Motion carried. Ordinance No. 294-08 is adopted.

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**ORDINANCE NO. 295-08**

10/6/08

L-295-08

By: S. M. Tuma

(By Request – Auditor)

AN ORDINANCE AUTHORIZING THE TRANSFER OF APPROPRIATIONS WITHIN  
THE 2008 PERMANENT APPROPRIATIONS OF THE CITY OF PARMA, AND  
DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Ordinance  
No. 295-08.

Yes: Regas, Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser.

No: None; Motion carried. Ordinance No. 295-08 is adopted.

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**RESOLUTION NO. 296-08**

10/6/08

L-296-08

By: S.M. Tuma

(By Request – Auditor)

A RESOLUTION APPROVING THE CITY AUDITOR'S POST CERTIFICATION OF  
REQUISITIONS AS DETAILED IN EXHIBIT "A" AND DECLARING AN  
EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution  
No. 296-08.

Yes: Regas, Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser.

No: None; Motion carried. Resolution No. 296-08 is adopted.

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**RESOLUTION NO. 297-08**

10/6/08

L-297-08

By: B. Day, T. Regas, S. Tuma, S. Brennan, N. Celebrezze, M. Galinas, R.J. Jech, L.  
Napoli, K. Ramser

(By Request – City Engineer/Building Commissioner)

A RESOLUTION REQUESTING THE BUILDING COMMISSIONER TO INSTITUTE  
SUMMARY NUISANCE ABATEMENT OF PERMANENT PARCEL NUMBER  
445-18-104, 1308 DARTMOOR AVENUE, PARMA, OHIO, AND DECLARING  
AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution  
No. 297-08.

Yes: Regas, Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser.

No: None; Motion carried. Resolution No. 297-08 is adopted.

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**RESOLUTION NO. 298-08**

10/6/08

L-298-08

By: T. Regas, S. Tuma, S. Brennan, N. Celebrezze, M. Galinas, R.J. Jech, L. Napoli, K. Ramser, B. Day

(By Request – Service Director)

A RESOLUTION TO AMEND RESOLUTION NO. 279-08 RELATIVE TO THE AUDITOR ACCEPTING THE DONATION OF CURRENT SICK LEAVE ACCUMULATION INTO THE SICK LEAVE ACCOUNT OF JOHN MAZUR IN ORDER TO CONTINUE HIS PAYROLL WHILE HE IS OFF WORK DUE TO A PERSONAL ILLNESS AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution No. 298-08.

Yes: Regas, Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser.

No: None; Motion carried. Resolution No. 298-08 is adopted.

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**RESOLUTION NO. 303-08**

10/6/08

L-303-08

By: **N. Celebrezze**, B. Day, M. Galinas, R.J. Jech, L. Napoli, K. Ramser, T. Regas, S. Tuma, S. Brennan

(By Request – Law Director)

A RESOLUTION IN SUPPORT OF “DOMESTIC VIOLENCE AWARENESS MONTH” DESIGNATED AS THE MONTH OF OCTOBER, 2008, AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution No. 303-08.

Yes: Regas, Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser.

No: None; Motion carried. Resolution No. 303-08 is adopted.

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**RESOLUTION NO. 304-08**

10/6/08

L-304-08

By: S. M. Tuma

(By Request – Recreation Director)

AN ORDINANCE TO AMEND A PORTION OF SECTION 185.05 “FEES OF THE DIRECTOR OF THE PUBLIC SERVICE” RELATIVE TO THE FEES FOR MICHAEL A. RIES SKATING RINK OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA AND DECLARING AN EMERGENCY

Motion made by Councilman Jech, seconded by Councilman Day to adopt Resolution No. 304-08.

Yes: Regas, Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser.

No: None; Motion carried. Resolution No. 304-08 is adopted.

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**RECONSIDERATION:**

**ORDINANCE NO. 255-08**

L-255-08

By: M. Galinas  
(By Request – City Engineer)

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE CUYAHOGA COUNTY ENGINEER FOR THE REHABILITATION OF STUMPH ROAD (CR-266) FROM THE PARMA SOUTH CORPORATION LINE TO SNOW ROAD IN THE CITY OF PARMA, AND DECLARING AN EMERGENCY

Motion made by Councilman Tuma, seconded by Councilman Day to reconsider passed Ordinance No. 255-08. Further moved to accept substitute Ordinance No. 255-08 and Exhibit A which amends the language of the previous Ordinance No. 255-08 and Exhibit A as stated in the substituted legislation. Also moved to have a roll call vote on Rule 44 and place substitute Ordinance No. 255-08 and Exhibit A on final passage. Motion carried.

Motion made by Councilman Jech, seconded by Councilman Day to adopt substitute Ordinance No. 255-08.

Yes: Regas, Tuma, Brennan, Celebrezze, Day, Galinas, Jech, Napoli, Ramser.

No: None; Motion carried. Substitute Ordinance No. 255-08 is adopted.

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**PUBLIC COMMENT**

Martin Drabek, 7696 Cecilia Drive – Thanked everyone for giving public a chance to speak. He stated that he is feeling violated because two of his yard signs were stolen. He will be looking out for those vandals.

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**MISCELLANEOUS**

Mayor DePiero – Thanked everyone for the recognition of the soldier. He gave condolences to the Normandy High School student who passed away last week. On October 27<sup>th</sup> the County Sanitary Engineer will be giving a presentation to Council on their work update at 7 PM. Sidewalk work is still being done.

Safety Director Baeppler – Thanks everyone for the passage of the pavement marking legislation. Next week the work will begin.

Service Director Higgins – He discussed the salt issue for the upcoming winter.

Treasurer Zielinski – He reassured everyone that their income tax collection is fine and on schedule. He is in constant contact with the top tax payers and keeping an eye on any possible layoffs, etc. which would affect collections.

Law Director Dobeck – Thanked everyone for the passage of Resolution No. 303-08 which will help the Victims of Domestic Violence. They are collecting used cell phones for them to use in emergencies.

Councilman Regas – No comment.



Councilman Tuma – He recognized the war veteran. He further stated that Councilman Day and he are having a Safety Meeting on Thursday at 7 PM with Chief Hoffman, Det. Compton, and the Safety Director. He is glad to hear that everyone is trying to keep finances in line. Councilman Tuma stated that they meet weekly to discuss the financial status of the City.

Councilman Brennan – He commented on the Andrew Boyko Scholarship Dinner. He thanked everyone for their support of the event. Additionally he thanked Vance Noah for his well deserved Purple Heart.

Councilman Celebrezze – He commented on the domestic pandemics and the families living in fear (Res. 303-08). He thanked Law Director Dobeck for suggesting it and giving it to him to sponsor.

Councilman Day – He commented on the recent Walk-a-bout and supports the proactive City Council and Administration. He thanked the Mayor for putting it together.

Councilwoman Galinas – Was grateful for the opportunity to shake the veteran's hand. She also commented that it is important to bring the domestic violence issue to the attention of everyone. Related to Council an incident concerning a former Parma Hospital nurse who was a victim.

Councilman Jech – Commented to Mr. Drabek that when his signs go missing, he chalks it up to someone who wanted a sign for their own yard and couldn't get one.

Councilman Napoli – He made remarks regarding the somber funeral tonight of the Normandy student which he attended.

Councilman Ramser – An acquaintance of his who is 84 years old called 911 to their house on Longwood and he was very appreciative for their very professional and compassionate work. He also stated that a political sign was missing from his yard also.

Council President Germana – He commented that signs are a problem. He stated that the next Committee meeting date would be on Tuesday, October 14<sup>th</sup> due to Columbus Day and that the next Council meeting would take place on October 20<sup>th</sup> and would consist of a Public Housing Meeting at 6:00 PM, Council Meeting at 6:15, and a Town Hall meeting for the Architectural firm at 7:00 PM. The October 27<sup>th</sup> committee meeting would begin with the County Sanitary Engineers first at 7:00 PM.

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#### **REPORT ON ABSENT MEMBERS**

Motion made by Councilman Day, seconded by Councilwoman Galinas to excuse Auditor Dennis Kish. Motion carried.

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#### **ADJOURNMENT**

Motion made by Councilman Day, seconded by Councilman Napoli to adjourn said Council Meeting at 8:28 PM. Motion carried.

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**C E R T I F I C A T I O N**

I, Tom Mastroianni, Clerk of Council for the City of Parma, Ohio, do hereby certify this to be a true and correct copy of the Minutes of the Regular Council Meeting held on Monday, October 6, 2008.

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TOM MASTROIANNI  
CLERK OF COUNCIL

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CHARLES M. GERMANA  
PRESIDENT OF COUNCIL

Minutes were completed on 10/20/08 lly